

## **TITLE 326 AIR POLLUTION CONTROL BOARD**

### **RULE AS PRELIMINARILY ADOPTED**

#### **Proposed Rule**

LSA Document #00-183

#### **DIGEST**

Amends 326 IAC 20-23-1 concerning off-site waste and recovery operations. Adds 326 IAC 20-33 concerning pulp and paper production (noncombustion). Adds 326 IAC 20-34 concerning phosphoric acid manufacturing and phosphate fertilizers production. Adds 326 IAC 20-35 concerning tanks—level 1. Adds 326 IAC 20-36 concerning containers. Adds 326 IAC 20-37 concerning surface impoundments. Adds 326 IAC 20-38 concerning individual drain systems. Adds 326 IAC 20-39 concerning closed vent systems, control devices, recovery devices, and routing to a fuel gas system or a process. Adds 326 IAC 20-40 concerning equipment leaks—control level 1. Adds 326 IAC 20-41 concerning equipment leaks—control level 2. Adds 326 IAC 20-42 concerning oil-water separators and organic-water separators. Adds 326 IAC 20-43 concerning storage vessels (tanks)—control level 2. Adds 326 IAC 20-44 concerning generic maximum achievable control technology standards. Adds 326 IAC 20-45 concerning pesticide active ingredient. Adds 326 IAC 20-46 concerning mineral wool production. Adds 326 IAC 20-47 concerning wool fiberglass manufacturing. Effective 30 days after filing with the secretary of state.

#### **HISTORY**

Second Notice of Comment Period and Section 7 Notice of First Hearing: September 1, 2000, Indiana Register (23 IR 3211).

Date of First Hearing: December 6, 2000.

<b>326 IAC 20-23-1</b>	<b>326 IAC 20-40</b>
<b>326 IAC 20-33</b>	<b>326 IAC 20-41</b>
<b>326 IAC 20-34</b>	<b>326 IAC 20-42</b>
<b>326 IAC 20-35</b>	<b>326 IAC 20-43</b>
<b>326 IAC 20-36</b>	<b>326 IAC 20-44</b>
<b>326 IAC 20-37</b>	<b>326 IAC 20-45</b>
<b>326 IAC 20-38</b>	<b>326 IAC 20-46</b>
<b>326 IAC 20-39</b>	<b>326 IAC 20-47</b>

SECTION 1. 326 IAC 20-23-1 IS AMENDED TO READ AS FOLLOWS:

**326 IAC 20-23-1 Applicability; incorporation by reference of federal standards**

**Authority:** IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

**Affected:** IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to owners or operators of plant sites as provided in 40 CFR 63.680.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart DD, 61 FR 34140\* (July 1, 1996), **and 64 FR 38963 (July 20, 1999)\***, National Emission Standards for Hazardous Air Pollutants from Off-Site Waste and Recovery Operations.

\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this **section rule** may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, **Tenth Floor**, Indianapolis, Indiana 46204. (*Air Pollution Control Board; 326 IAC 20-23-1; filed Apr 23, 1998, 9:30 a.m.: 21 IR 3341*)

SECTION 2. 326 IAC 20-33 IS ADDED TO READ AS FOLLOWS:

**Rule 33. Pulp and Paper Production; Noncombustion**

**326 IAC 20-33-1 Pulp and paper production, noncombustion; applicability; incorporation by reference of federal standards**

**Authority:** IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

**Affected:** IC 13-15; IC 13-17

Sec. 1. (a) This rule applies to the owner or operator of processes that produce pulp, paper, or paperboard, as provided in 40 CFR 63.440, 63 FR 18503 (April 15, 1998)\*, and that use any of the following processes and materials:

- (1) Kraft, soda, sulfite, or semichemical pulping processes.
- (2) Mechanical pulping processes.
- (3) Any process using secondary or nonwood fibers.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart S, 63 FR 18503 (April 15, 1998)\*, national emission standards for hazardous air pollutants from the pulp and paper industry.

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-33-1*)**

**SECTION 3. 326 IAC 20-34 IS ADDED TO READ AS FOLLOWS:**

**Rule 34. Phosphoric Acid Manufacturing and Phosphate Fertilizers Production**

**326 IAC 20-34-1 Phosphoric acid manufacturing and phosphate fertilizers production; applicability; incorporation by reference of federal standards**

**Authority:** IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

**Affected:** IC 13-15; IC 13-17

**Sec. 1. (a) This rule applies to the owner or operator of each:**

**(1) phosphoric acid manufacturing plant as provided in 40 CFR 63.600, 64 FR 31357 (June 10, 1999)\*; and**

**(2) phosphate fertilizers production plant as provided in 40 CFR 63.620, 64 FR 31357 (June 10, 1999)\*.**

**(b) The air pollution control board incorporates by reference the following:**

**(1) 40 CFR 63, Subpart AA, 64 FR 31376 (June 10, 1999)\*, national emission standards for hazardous air pollutants from phosphoric acid manufacturing plants.**

**(2) 40 CFR 63, Subpart BB, 64 FR 31382 (June 10, 1999)\*, national emission standards for hazardous air pollutants from phosphate fertilizers production plants.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-34-1*)**

**SECTION 4. 326 IAC 20-35 IS ADDED TO READ AS FOLLOWS:**

**Rule 35. Tanks—Level 1**

**326 IAC 20-35-1 Tanks—level 1; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a) This rule applies to the control of air emissions from tanks for which another subpart of 40 CFR 60, 40 CFR 61, or 40 CFR 63 references the use of Subpart OO for such air emission control as provided in 40 CFR 63.900, 61 FR 34184 (July 1, 1996), and 64 FR 38985 (July 20, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart OO, 61 FR 34184 (July 1, 1996), and 64 FR 38985 (July 20, 1999)\*, national emission standards for tanks—level 1.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-35-1*)**

SECTION 5. 326 IAC 20-36 IS ADDED TO READ AS FOLLOWS:

**Rule 36. Containers**

**326 IAC 20-36-1 Containers; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a) This rule applies to the control of air emissions from containers for which another subpart of 40 CFR 60, 40 CFR 61, or 40 CFR 63 references the use of Subpart PP for such air emission control as provided in 40 CFR 63.920, 61 FR 34186 (July 1, 1996), and 64 FR 38987 (July 20, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart PP, 61 FR 34186 (July 1, 1996), and 64 FR 38987 (July 20, 1999)\*, national emission standards for containers.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-36-1*)**

SECTION 6. 326 IAC 20-37 IS ADDED TO READ AS FOLLOWS:

**Rule 37. Surface Impoundments**

**326 IAC 20-37-1 Surface impoundments; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a) This rule applies to the control of air emissions from surface impoundments for which another subpart of 40 CFR 60, 40 CFR 61, or 40 CFR 63 references the use of Subpart QQ for such air emission control as provided in 40 CFR 63.940, 61 FR 34190 (July 1, 1996), and 64 FR 38988 (July 20, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart QQ, 61 FR 34190 (July 1, 1996), and 64 FR 38988 (July 20, 1999)\*, national emission standards for surface impoundments.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-37-1*)**

SECTION 7. 326 IAC 20-38 IS ADDED TO READ AS FOLLOWS:

**Rule 38. Individual Drain Systems**

**326 IAC 20-38-1 Individual drain systems; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11  
Affected: IC 13-15; IC 13-17

**Sec. 1. (a) This rule applies to the control of air emissions from individual drain systems for which another subpart of 40 CFR 60, 40 CFR 61, or 40 CFR 63 references the use of Subpart RR for such air emission control as provided in 40 CFR 63.960, 61 FR 34193 (July 1, 1996), and 64 FR 38989 (July 20, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart RR, 61 FR 34193 (July 1, 1996), and 64 FR 38989 (July 20, 1999)\*, national emission standards for individual drain systems.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-38-1*)**

**SECTION 8. 326 IAC 20-39 IS ADDED TO READ AS FOLLOWS:**

**Rule 39. Closed Vent Systems, Control Devices, Recovery Devices, and Routing to a Fuel Gas System or a Process**

**326 IAC 20-39-1 Closed vent systems, control devices, recovery devices, and routing to a fuel gas system or a process; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11  
Affected: IC 13-15; IC 13-17

**Sec. 1. (a) The provisions of this rule include requirements for closed vent systems, control devices, and routing of air emissions to a fuel gas system or process. These provisions apply when another subpart references the use of Subpart SS for such air emission control as provided in 40 CFR 63.980, 64 FR 34866 (June 29, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart SS, 64 FR 34866 (June 29, 1999)\*, national emission standards for closed vent systems, control devices, recovery devices, and routing to a fuel gas system or a process.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-39-1*)**

SECTION 9. 326 IAC 20-40 IS ADDED TO READ AS FOLLOWS:

**Rule 40. Equipment Leaks—Control Level 1**

**326 IAC 20-40-1 Equipment leaks—control level 1; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a) The provisions of this rule apply to the control of air emissions from equipment leaks for which another subpart references the use of Subpart TT for such air emission control as provided in 40 CFR 63.1000, 64 FR 34886 (June 29, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart TT, 64 FR 34886 (June 29, 1999)\*, national emission standards for equipment leaks—control level 1.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-40-1*)**

SECTION 10. 326 IAC 20-41 IS ADDED TO READ AS FOLLOWS:

**Rule 41. Equipment Leaks—Control Level 2**

**326 IAC 20-41-1 Equipment leaks—control level 2 standards; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a) The provisions of this rule apply to the control of air emissions from equipment leaks for which another subpart references the use of Subpart UU for such air emission control as provided in 40 CFR 63.1019, 64 FR 34899 (June 29, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart UU, 64 FR 34899 (June 29, 1999)\*, national emission standards for equipment leaks—control level 2 standards.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-41-1*)**

**SECTION 11. 326 IAC 20-42 IS ADDED TO READ AS FOLLOWS:**

**Rule 42. Oil-Water Separators and Organic-Water Separators**

**326 IAC 20-42-1 Oil-water separators and organic-water separators; applicability; incorporation by reference of federal standards**

**Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11**

**Affected: IC 13-15; IC 13-17**

**Sec. 1. (a) This rule applies to the control of air emissions from oil-water separators and organic-water separators for which another subpart of 40 CFR 60, 40 CFR 61, or 40 CFR 63 references the use of Subpart VV for such air emission control as provided in 40 CFR 63.1040, 61 FR 34195 (July 1, 1996) and 64 FR 38991 (July 20, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart VV, 61 FR 34195 (July 1, 1996) and 64 FR 38991 (July 20, 1999)\*, national emission standards for oil-water separators and organic-water separators.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North**

**Senate Avenue, Tenth Floor, Indianapolis, Indiana.** (*Air Pollution Control Board; 326 IAC 20-42-1*)

SECTION 12. 326 IAC 20-43 IS ADDED TO READ AS FOLLOWS:

**Rule 43. Storage Vessels (Tanks)—Control Level 2**

**326 IAC 20-43-1 Storage vessels (tanks)—control level 2; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a)** The provisions of this rule apply to the control of air emissions from storage vessels for which another subpart references the use of Subpart WW for such air emission control as provided in 40 CFR 63.1060, 64 FR 34918 (June 29, 1999)\*.

**(b)** The air pollution control board incorporates by reference 40 CFR 63, Subpart WW, 64 FR 34918 (June 29, 1999)\*, national emission standards for storage vessels (tanks)—control level 2.

\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-43-1*)

SECTION 13. 326 IAC 20-44 IS ADDED TO READ AS FOLLOWS:

**Rule 44. Generic Maximum Achievable Control Technology**

**326 IAC 20-44-1 Generic maximum achievable control technology standards; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a)** This rule applies to source categories and affected sources specified in 40 CFR 63.1100, 64 FR 34921 (June 29, 1999)\*.

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart YY, 64 FR 34921 (June 29, 1999)\*, national emission standards for hazardous air pollutants for source categories; generic maximum achievable control technology standards.

\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-44-1*)

SECTION 14. 326 IAC 20-45 IS ADDED TO READ AS FOLLOWS:

**Rule 45. Pesticide Active Ingredient**

**326 IAC 20-45-1 Pesticide active ingredient production; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a) This rule applies to affected sources as provided in 40 CFR 63.1360, 64 FR 33549 (June 23, 1999)\*.**

(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart MMM, 64 FR 33549 (June 23, 1999)\*, national emission standards for hazardous air pollutants for pesticide active ingredient production.

\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-45-1*)

SECTION 15. 326 IAC 20-46 IS ADDED TO READ AS FOLLOWS:

**Rule 46. Mineral Wool Production**

**326 IAC 20-46-1 Mineral wool production; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a) This rule applies to mineral wool production facilities as provided in 40 CFR 63.1177, 64 FR 29503 (June 1, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart DDD, 64 FR 29503 (June 1, 1999)\*, national emission standards for hazardous air pollutants from mineral wool production.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North Senate Avenue, Tenth Floor, Indianapolis, Indiana. (*Air Pollution Control Board; 326 IAC 20-46-1*)**

SECTION 16. 326 IAC 20-47 IS ADDED TO READ AS FOLLOWS:

**Rule 47. Wool Fiberglass Manufacturing**

**326 IAC 20-47-1 Wool fiberglass manufacturing; applicability; incorporation by reference of federal standards**

Authority: IC 13-14-8; IC 13-14-9-7; IC 13-17-3-4; IC 13-17-3-11

Affected: IC 13-15; IC 13-17

**Sec. 1. (a) This rule applies to the owner or operator of each wool fiberglass manufacturing facility as provided in 40 CFR 63.1380, 64 FR 31695 (June 14, 1999)\*.**

**(b) The air pollution control board incorporates by reference 40 CFR 63, Subpart NNN, 64 FR 31695 (June 14, 1999)\*, national emission standards for hazardous air pollutants for wool fiberglass manufacturing.**

**\*Copies of the Code of Federal Regulations (CFR) and Federal Register (FR) referenced in this rule may be obtained from the Government Printing Office, Washington, D.C. 20402 and are available for copying at the Indiana Department of Environmental Management, Office of Air Management, Indiana Government Center-North, 100 North**

**Senate Avenue, Tenth Floor, Indianapolis, Indiana.** (*Air Pollution Control Board; 326 IAC 20-47-1*)